

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

SUPREME BUILDING TECHNOLOGIES, INC.,)	
)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:08-CV-163
)	
ELITE MANUFACTURING, INC.,)	
)	
Defendant.)	

OPINION AND ORDER

This case was filed in this Court by Plaintiff based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) Plaintiff’s complaint alleges that it is an Indiana corporation with its principal place of business in Florida and that Defendant is a Florida limited liability company with its principal place of business in Florida. (Compl. ¶¶ 1, 2.) It further states that “[u]pon information and belief, Fransynergy, Inc. . . . is an Alabama corporation and the 100% member of [Defendant] Elite.” (Compl. ¶ 3.)

Plaintiff’s complaint, however, is inadequate. *See generally Smoot v. Mazda Motors of Am., Inc.*, 469 F.3d 675, 678 (7th Cir. 2006) (stating that the court has an obligation to inquire into its own subject matter jurisdiction). “Allegations of federal subject matter jurisdiction may not be made on the basis of information and belief, only personal knowledge.” *Yount v. Shashek*, 472 F. Supp. 2d 1055, 1057 n.1 (S.D. Ill. 2006) (citing *Am.’s Best Inns, Inc. v. Best Inns of Abilene, L.P.*, 980 F.2d 1072, 1074 (7th Cir. 1992)); *see also Bankers Trust Co. v. Old Republic Ins. Co.*, 959 F.2d 677, 683-84 (7th Cir. 1992); *Ferolie Corp. v. Advantage Sales & Mktg., LLC*, No. 04 C 5425, 2004 WL 2433114, at *1 (N.D. Ill. Oct. 28, 2004); *Hayes v. Bass Pro Outdoor World, LLC*, No. 02 C 9106, 2003 WL 187411, at *2 (N.D. Ill. Jan. 21, 2003). Furthermore,

corporations “are deemed to be citizens of the state in which they are incorporated *and* of the state in which they have their principal place of business.” *N. Trust Co. v. Bunge Corp.*, 899 F.2d 591, 594 (7th Cir. 1990) (emphasis added); *see* 28 U.S.C. § 1332(c)(1). Therefore, the Court must be apprised of both facts with respect to Fransynergy, Inc.

Consequently, Plaintiff is ORDERED to file an amended complaint on or before August 4, 2008, to cure these deficiencies.

Enter for this 23rd day of July, 2008.

/S/ Roger B. Cosbey
Roger B. Cosbey,
United States Magistrate Judge